

ALBUQUERQUE POLICE DEPARTMENT

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12 RE: CASE #13-020344  
13 INTERVIEW OF: OFC. ANTHONY SEDLER  
14 DATE TAKEN: MARCH 6, 2013  
15 TIME: 1:09 P.M.  
16 BY: DET. JASON MORALES  
17 DET. MATT CAPLAN  
18 ALSO PRESENT: MR. LUIS ROBLES  
19 OFC. DREW BADER  
20 DET. ADAM GAITAN  
21  
22  
23  
24  
25

1 from that point, as much detail, all the way till the  
2 end of the incident.

3 ANTHONY SEDLER: Okay. I was at home and it was  
4 approximately 1900 hours. I'm on an on-call status  
5 with the SWAT team. I received a call-out  
6 notification that it was an area search involving an  
7 armed subject and that it was in the area of Menaul  
8 and Louisiana.

9 I got dressed and started en route. We're  
10 given a specific approach route to our command post,  
11 which was located on Menaul, a few blocks east of  
12 Louisiana. And I don't remember the exact street  
13 where the command post ended up getting set up, but  
14 it was approximately three to four streets east of  
15 Chama, which is one street east of Louisiana, that  
16 runs north/south and intersects with Menaul.

17 DET. MORALES: Okay.

18 ANTHONY SEDLER: Upon my arrival, I contacted our  
19 incident commander, who was Sergeant Fox, and I  
20 was -- I received my assignment, which was to  
21 supplement some officers who were already in a  
22 containment position. They were located -- you know  
23 the Chili's restaurant, which is just east of  
24 Louisiana, off Menaul?

25 DET. MORALES: Uh-huh.

1 ANTHONY SEDLER: Yes, I don't know.

2 DET. MORALES: You don't know. Okay. So when  
3 you got there, these four guys were already there?

4 ANTHONY SEDLER: That's correct.

5 DET. MORALES: Okay. So when you arrived there  
6 and you're there to supplement them, what did you  
7 guys talk about as far as planning, or was that plan  
8 already in place by the sergeant?

9 ANTHONY SEDLER: No. We had put the plan in  
10 place, and I was briefed that this offender had --  
11 you know, was determined to evade police and had  
12 pointed a handgun at a sergeant in order to evade and  
13 escape. We made sure that we had less lethal means  
14 and more than just one to -- again, if the situation  
15 warranted it, to -- you know, at our disposal. And  
16 being that we had an officer dedicated just to their  
17 K-9, the dogs there, that their pretty much sole  
18 function once they have that dog on site, so -- and  
19 then we had an officer who was able to give commands  
20 and be hands free. And also an officer to provide  
21 protection and coverage for them, which was my role.

22 DET. MORALES: Okay. So you're the protection  
23 coverage. So what is Chris?

24 ANTHONY SEDLER: He had -- he was dedicated to  
25 the bean bag shotgun as less lethal.

1 DET. MORALES: And then what about Dan?

2 ANTHONY SEDLER: Dan and Albert were both -- and  
3 then that's kind of -- that's why my main focus is  
4 providing protection. I'm looking around and at  
5 them. I'm focused on, at this point, the area where  
6 that heat source is at, not knowing exactly what it  
7 is yet; that one of the two of them was going to be  
8 the hands free and commands; the other was going to  
9 deploy a noise/flash diversionary device, or  
10 flashbang, if, you know, that situation were to  
11 warrant it.

12 DET. MORALES: And then what about Nava?

13 ANTHONY SEDLER: Nava had the dog.

14 DET. MORALES: Okay. And I know this is going to  
15 sound like a stupid question. I'll probably ask you  
16 a couple, just to make sure that we can put this  
17 picture together for somebody.

18 I'm assuming that you guys aren't just kind of  
19 standing on like a straight line, where everybody is  
20 side by side. So how are you guys -- how is  
21 everybody positioned, as far as you know? I know  
22 you're providing protection and cover, but what's  
23 your understanding of what people are doing behind  
24 you?

25 ANTHONY SEDLER: Okay. It was the corner of the

1 building, so I had to be sticking out enough to have  
2 a good view and to identify anything that was going  
3 on in front of me and what this heat source was. And  
4 also the plan was, is in order for someone to give  
5 commands, they had to actually have a visual as to  
6 what's going on. In order for a K-9 to be deployed,  
7 they had to have a visual as to what's going on.

8         So the plan was, they were trying to tuck  
9 behind me. And once they established that we have  
10 contact with someone, they were going to come out  
11 directly beside me on my left for the dog deployment  
12 and to be able to be out far enough to have visual to  
13 identify what was going on. And if the situation  
14 warranted, their direct participation or not. And so  
15 we were kind of tucked in a bit and then kind of  
16 sticking out around those corners, (inaudible), if  
17 that makes sense.

18         DET. MORALES: Okay. So from the time that you  
19 arrived on scene, which is around 7:15 to 7:20, what  
20 time would you say you're actually sitting in  
21 position watching where that heat source is at?

22         ANTHONY SEDLER: I'd say, you know, between 7:30,  
23 7:45, approximately.

24         DET. MORALES: Okay. And I know you don't know  
25 exactly, but would you be able to say that the

1       DET. MORALES: Okay. And when they identified  
2 that, was he in a position where he was moving, or  
3 they just could see that it was actually something,  
4 it was actually a person?

5       ANTHONY SEDLER: They had -- in heat source, they  
6 had some movement, but then after that, it was  
7 another officer, one of our snipers, who had  
8 indicated that they had movement, that they could see  
9 the subject. And then that's when I heard another  
10 report, which was I believe, one of our snipers.

11       DET. MORALES: Do you know who?

12       ANTHONY SEDLER: I believe it was Francisco  
13 Aragon.

14       DET. MORALES: Okay. So from the position -- and  
15 I've been out there and I know what we're talking  
16 about, and that's actually still where you were  
17 standing. So you were saying that you could see from  
18 the corner of the building and you could see the back  
19 end of the truck?

20       ANTHONY SEDLER: Yes.

21       DET. MORALES: But you could not see the bushes  
22 that everybody is talking about?

23       ANTHONY SEDLER: That's correct. I couldn't -- I  
24 couldn't pick out the -- all the bushes.

25       DET. MORALES: Okay.

1       ANTHONY SEDLER: Or where this heat source was  
2 at, I couldn't see it.

3       DET. MORALES: So then let's move forward to  
4 where you said -- so by now, the AD has already been  
5 identified on the radio. And then one of the snipers  
6 sees movement, the arrest team had seen movement so  
7 that you know that there's a person there; is that  
8 correct?

9       ANTHONY SEDLER: Well, when I first knew that it  
10 was a person was when our sniper said that they could  
11 see the top of a subject's head. And that's how I  
12 knew, okay, well, that heat source is a person, not a  
13 dog or, you know.

14       DET. MORALES: Okay. And so from that point, how  
15 much time had passed after -- when you end hearing  
16 the second shot that was actually an intended shot?

17       ANTHONY SEDLER: After the movement was called,  
18 it was seconds.

19       DET. MORALES: And where did that -- could you  
20 tell what direction that shot came from?

21       ANTHONY SEDLER: No. I -- I didn't even know it  
22 was our sniper engaging. At that time, it was where  
23 those buildings are, plus it's night, it's a canyon.  
24 I mean, there's an echo and -- all I knew, it was  
25 probably a gunshot. But I didn't know where it came

1 taken into custody?

2 ANTHONY SEDLER: No.

3 DET. MORALES: Okay. I meant to ask you earlier,  
4 so I just want to go back real quick, I apologize.  
5 You said that from the time he showed himself and you  
6 saw him, to the time he started running, you said  
7 that you could hear that he was given commands --

8 ANTHONY SEDLER: Yes.

9 DET. MORALES: -- like, "Stop. Police. Drop the  
10 gun." Who was giving those commands if you know?

11 ANTHONY SEDLER: I don't know. I would say it  
12 was either Dan or Albert, but, again, I mean, it's  
13 kind of up to those guys. If one of them is tasked  
14 with something that's kind of that team concept for  
15 them, that they'll -- you know, we know we have  
16 enough officers to have a dedicated person for  
17 commands, and if one of those two guys kind of switch  
18 that role, I mean, that's kind of on them. You know,  
19 the plan and my focus was just for the protection of  
20 them.

21 DET. MORALES: Okay. So those commands were  
22 given by somebody that was with you?

23 ANTHONY SEDLER: Yes.

24 DET. MORALES: Okay. And did you give any  
25 commands?



1 ANTHONY SEDLER: No.

2 DET. MORALES: Okay. And then can you go ahead  
3 and just describe the lighting positions on the  
4 street? I know you talked about a little bit, yeah,  
5 there's street lights this time of day, but I just  
6 want to hear it from you.

7 ANTHONY SEDLER: Right. There was, I mean, good  
8 ambient lighting, and the street lights were bright  
9 enough to make out -- you know, I could see  
10 everything in the area, I could -- I mean, bright  
11 enough that I wouldn't have to use a light that was  
12 on my weapon to identify what was out in front of me.  
13 But I did use that in conjunction with -- I did use  
14 my weapon-induced lighting in conjunction with the  
15 ambient lighting, just to get more light for  
16 identification. But it was bright enough that you  
17 could see well, you know, the Menaul and the  
18 Louisiana area is well lit at night, so...

19 DET. MORALES: And did you utilize the light on  
20 your M4 from the moment that you saw him, or was it  
21 only at particular point in time?

22 ANTHONY SEDLER: It was from the moment that I  
23 saw him.

24 DET. MORALES: And then I know just -- I mean, I  
25 just want to make sure this is correct. I know you